

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

December 12, 2008

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Maui

Consent to Lease of Lands under Governor's Executive Order
No. 2958 to Kihei Youth Center, Waiakoa, Kula (Kihei),
Maui, Tax Map Key: (2) 3-9-006:011 por.

CONTROLLING AGENCY:

County of Maui, Department of Human Concerns

APPLICANT:

Kihei Youth Center

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes, as amended.

ZONING:

State Land Use District: Urban
County of Maui CZO: R-2 (M)

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State
Constitution: YES _____ NO X

CURRENT USE STATUS:

Governor's Executive Order No. 2958 to County of Maui, Department
of Human Concerns for Recreation Center Site purposes.

LEASE TERMS & CONDITIONS:LOCATION:

Portion of Government lands situated at Waiakoa, Kula (Kihei), Maui, identified by Tax Map Key:(2) 3-9-006:011 por, as shown on the attached map labeled Exhibit A and aerial photo labeled Exhibit B.

AREA:

3,868 sq. ft. Recreational Center Facility (Exhibits C & D)
7,696 sq. ft. Basketball Court (Exhibits E & F)

Total = 11,564 more or less.

CHARACTER OF USE:

Recreation center purposes

TERM:

20 years. Commencing in 2009 and expiring in 2029
(Specific dates to be determined).

RENT AMOUNT:

\$1.00 per annum.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The controlling agency shall be responsible for ensuring compliance with Chapter 343, HRS.

DCCA VERIFICATION:

The Kihei Youth Center is a Domestic Nonprofit Corporation.

Place of business registration confirmed:	YES	<u>X</u>	NO	<u> </u>
Registered business name confirmed:	YES	<u>X</u>	NO	<u> </u>
Applicant in good standing confirmed:	YES	<u>X</u>	NO	<u> </u>

REMARKS:

The subject lands were disposed via Executive Order (EO) No. 2958 to the County of Maui, Department of Human Concerns on March 6, 1979 for recreational center site purposes. The County of Maui originally entered into a 5-year lease agreement with the Kihei Youth Center (KYC), a domestic nonprofit corporation, on June 24,

1998 for operation of a youth center and provision of recreational, educational, vocational and leisure programs and services for youth.

In August of 2007, the KYC reapplied with the County of Maui for continuation of said youth center activities via a 20-year license agreement. Recently, the County of Maui was reminded that pursuant to HRS Chapter 171-11 all dispositions in excess of 14 days are subject to the prior approval of the Board of Land and Natural Resources.

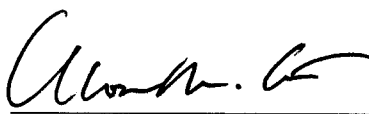
The proposed disposition to the KYC by the County of Maui is consistent with the intended purposes of EO No. 2958. Staff has no objection to the disposition of a 20-year license to KYC by Maui County at an annual nominal rent of \$1.00 per year for said purposes.

RECOMMENDATION:


That the Board consent to the lease between The County of Maui, Department of Human Concerns and the Kihei Youth Center, subject to any applicable conditions cited above which are by this reference incorporated herein and further subject to the following:

1. Review and approval by the Department of the Attorney General; and
2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,


for Daniel Ornellas
District Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



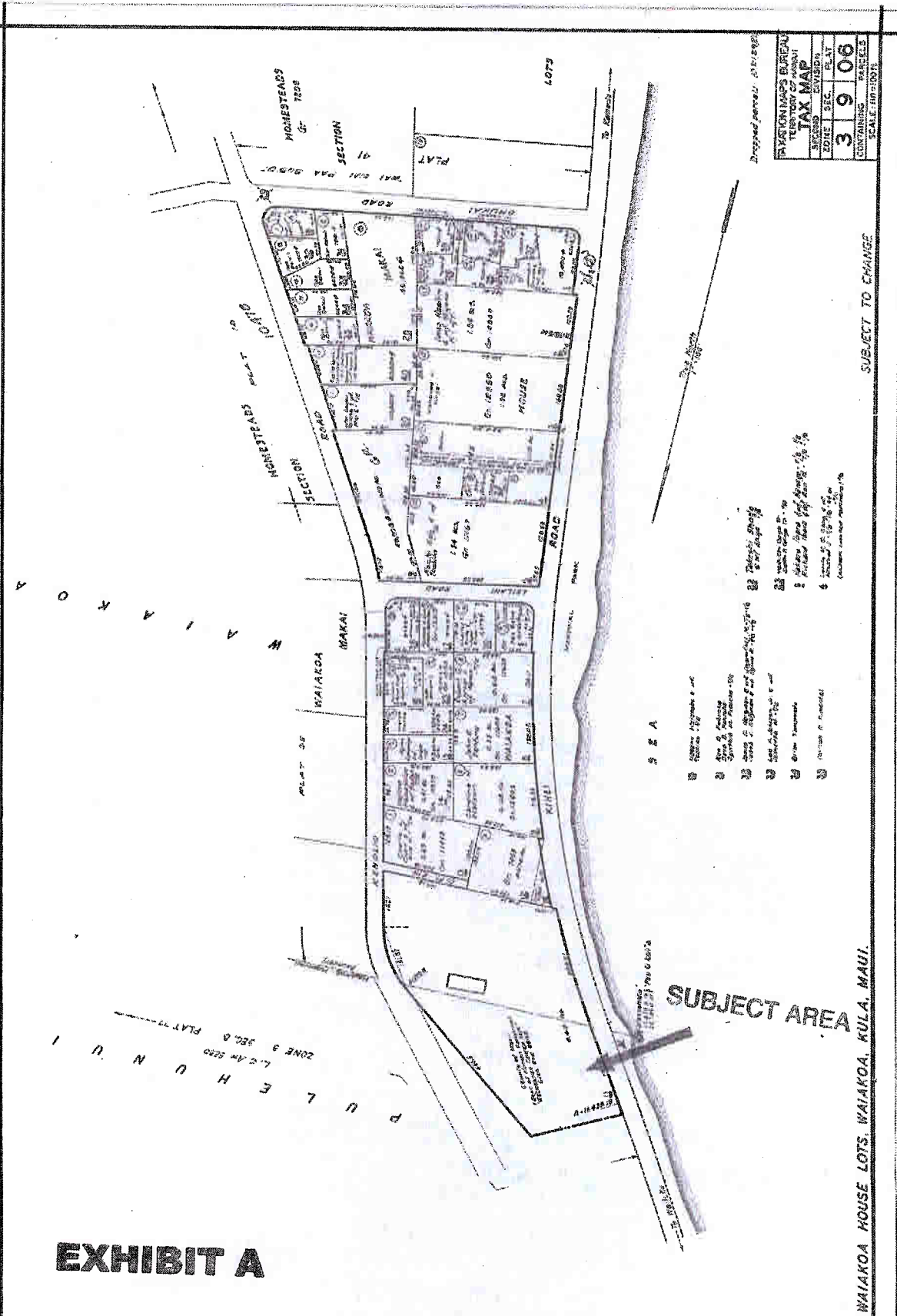


EXHIBIT A

WAIKOA HOUSE LOTS, WAIKOA, KULA, MAUI.

SUBJECT TO CHANGE

RECEIVED
 NATIONAL MAPS BUREAU
 TAX MAP
 DIVISION
 ZONE SEC. PLAT
 3 9 06
 CONTAINING PARCELS
 SCALE: 1"=40'

1. *Chrysomelids* (10/10/10)

SUBJECT AREA

● ● ●

- [illegible]

- [illegible]

2000

PLAT 70
ZONE 8
SEC 9
TWP 3 N
R. 10 W

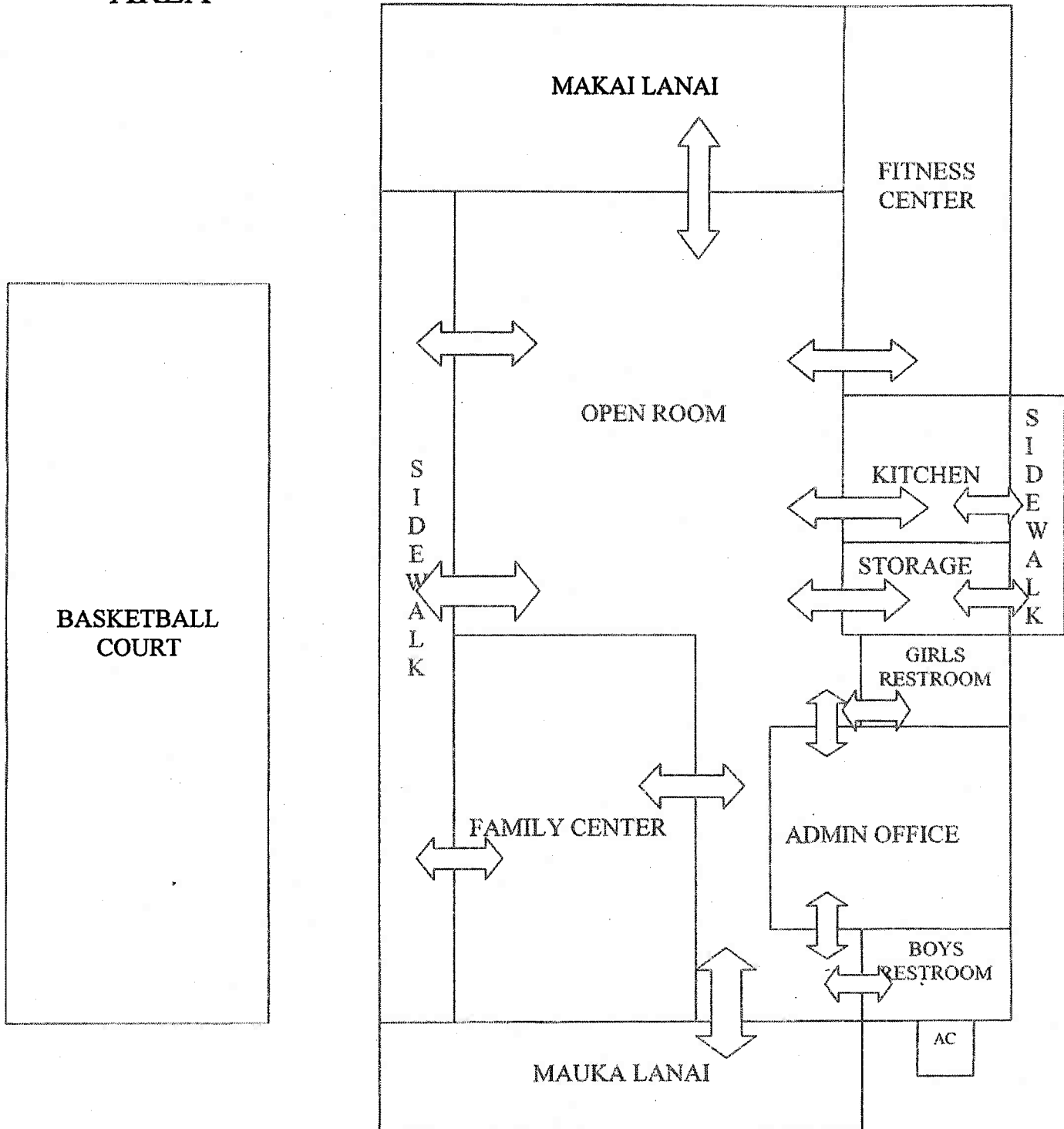


Exhibit B

SOUTH KIHAI ROAD

KIHEI YOUTH CENTER
131 S.KIHEI RD., KIHEI, HI 96753

OPEN GRASS
AREA



SIDEWALK

KENOLIO RECREATION COMPLEX PARKING

EXHIBIT C



Main entrance to Kihei Youth Center from parking lot.



North end of Youth Center Building.



Back side of Youth Center, facing South Kihei Road.



View of Youth Center building's south side and entrance area.

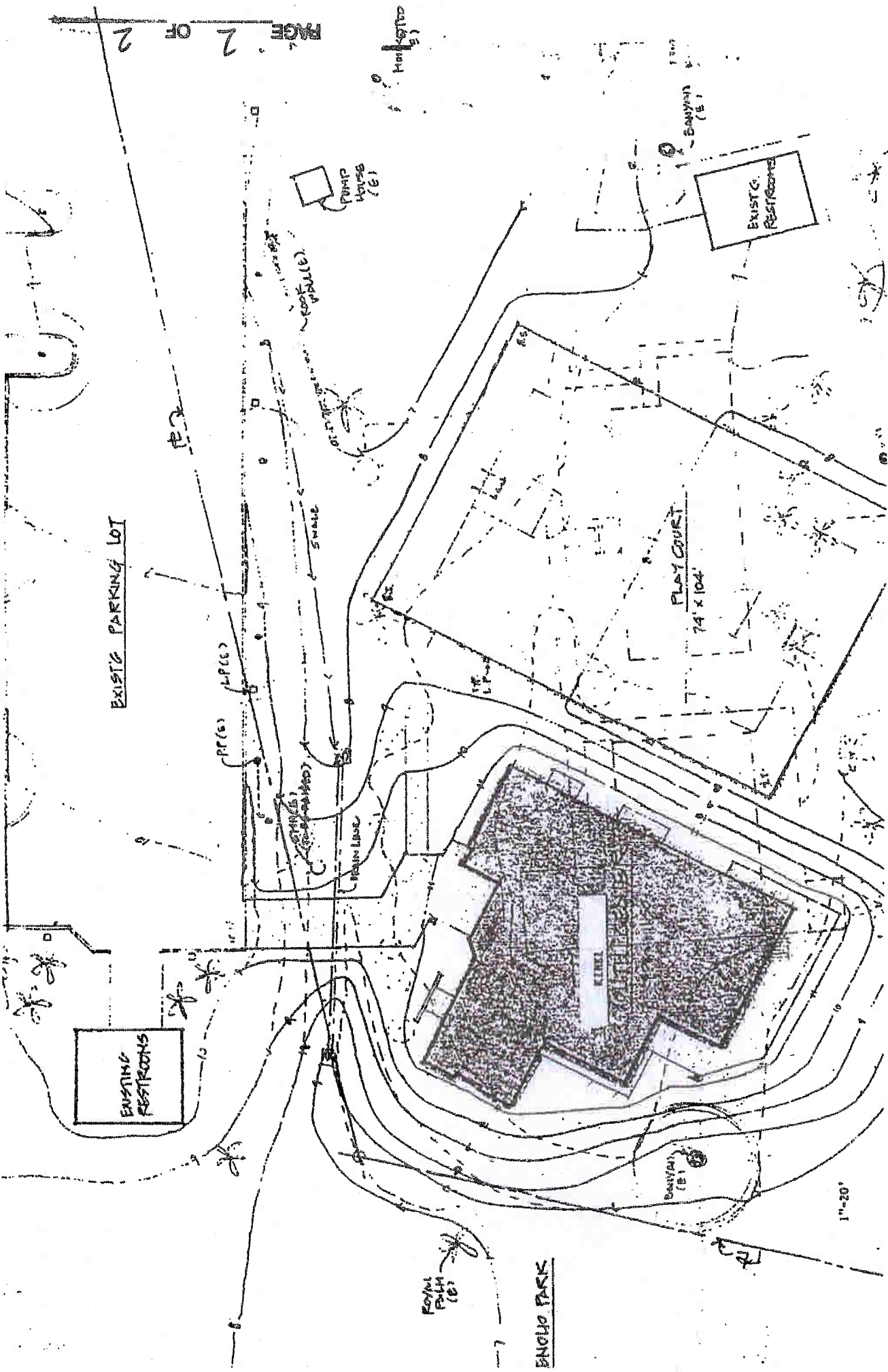


EXHIBIT "E"

Site Inspection: 12-1-08

County of Maui Dept. of Human Concerns- EO-2958



Outdoor basketball court that is managed and maintained by the Kihui Youth Center within the County of Maui EO area.